

Exhibit 3

Chelini, Kathryn V.

From: teas@uspto.gov
Sent: Wednesday, October 15, 2008 5:15 PM
To: Chelini, Kathryn V.
Subject: Received Your Trademark/Service Mark Application, Principal Register for serial number 77593469

MARK: Life is Nutz (Standard Characters, mark.jpg)

The literal element of the mark consists of Life is Nutz.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

We have received your application and assigned serial number '77593469' to your submission. The summary of the application data, *bottom below*, serves as your official filing receipt. **In approximately 4-5 months, your application will be assigned to an examining attorney; however, the critical date for determining registrability is your filing date, NOT the actual examination date. You will not receive any further USPTO communications until examination.** At this point, your mark is not registered it is only a "pending" application. The overall process, from the time of initial filing to final registration, can take 13-18 months, and even longer depending on many factors, e.g., the correctness of the original filing, or the type of application filed.

If you discover an error in the application data, you may file a Preliminary Amendment, stating your proposed correction, at <http://www.uspto.gov/teas/eTEASpageB2.htm>. Do **not** submit any proposed amendment to TEAS@uspto.gov, because the technical team cannot make **any** changes to already-filed data. **NOTE:** You cannot file a Preliminary Amendment until at least 15 days after the initial filing of the application. Prior to that time, the serial number will not appear in the USPTO database (even though the number was assigned at the time of filing), preventing the uploading of new data. If you submit a Preliminary Amendment, the acceptability of that amendment will not be determined until regular examination begins; i.e., the assigned examining attorney will decide at that time whether the change proposed in the amendment is permissible--**not** all errors may be corrected. *E.g.*, if you submitted the wrong mark, if the proposed correction would be considered a material alteration to your original filing, this will not be accepted. Unfortunately, your only recourse in that event is to re-file.

Since you have already submitted your application, do **not** contact TEAS@uspto.gov to request cancellation. The USPTO will **not** cancel the filing or refund your fee, unless the application does not meet minimum filing requirements; i.e., if the USPTO later determines that no filing date was justified, we will return your submission, and refund the filing fee. You could then, if possible, cure the deficiency, and re-file the application. Otherwise, the fee is a processing fee, which we do **not** refund, even if we cannot issue a registration after our substantive review. The only way to "cancel" an application is to file an Express Abandonment, at <http://www.uspto.gov/teas/eTEASpageF.htm>, waiting at least 15 days after the initial filing; however, you would not receive a fee refund under those circumstances.

NOTE: The only "exception" to the above is if you inadvertently file duplicate applications, due to a technical glitch; i.e., if you believe that the first filing did not go through, and immediately file again, only to learn later that *both* filings were successful, then the support team at TEAS@uspto.gov can mis-assign and refund one of the filings. This must be due to a technical problem (which we will independently verify), and not a mere misunderstanding or mistake.

NOTE: To check status, please use <http://tarr.uspto.gov>. Do not submit status requests to TEAS@uspto.gov, as that mailbox is only for technical assistance. We recommend that you check status at the 6-month point, and *every two months thereafter* to ensure that you know of any action that the Office may have issued.

Failure to respond timely to an action will result in abandonment of your application. All incoming and outgoing correspondence can be viewed at <http://portal.uspto.gov/external/portal/tow>. If your status check reveals an action has issued, but you did not receive it, please immediately check the on-line site to view the action; filing deadlines are **not** extended due to failures to receive USPTO mailings.

APPLICATION DATA: Trademark/Service Mark Application, Principal Register TEAS Plus Application

The applicant, Kevin Brown, a citizen of United States, having an address of 587 Prospect Street, West Boylston, Massachusetts, United States, 01583, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

International Class 025: Hats; T-shirts

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant hereby appoints Kathryn V. Chelini and Brian M. Dingman Roger P. Zimmerman of Mirick O'Connell DeMallie & Lougee LLP, 1700 West Park Drive, Westborough, Massachusetts, United States, 01581 to submit this application on behalf of the applicant. The attorney docket/reference number is 21832-00001.

Correspondence Information: Kathryn V. Chelini
1700 West Park Drive
Westborough, Massachusetts 01581
508-898-1501(phone)
508-898-1502(fax)
kvchelini@modl.com (authorized)

A fee payment in the amount of \$275 will be submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Kathryn V. Chelini/ Date: 10/15/2008
Signatory's Name: Kathryn V. Chelini
Signatory's Position: Attorney of record

Thank you,

The TEAS support team
Wed Oct 15 17:15:23 EDT 2008
STAMP: USPTO/FTK-63.139.27.98-20081015171522980928-77593469-
400464a6c25f91c1e01174b2f42a5edec-CC-2679-20081015165042101813